

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

NORKUS ENTERPRISES, INC.

Plaintiff,

v.

GETTY OIL COMPANY, INC., et al.

Civ. No.: 05 cv 10207(VM)

**NOTICE OF MOTION TO
ADMIT COUNSEL
PRO HAC VICE**

PLEASE TAKE NOTICE that upon the annexed Declaration of Anthony J. Staltari, dated May 1, 2006, the accompanying Declaration of Heather Foran dated April 27, 2006, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern and Eastern Districts of New York, admitting Heather Foran to the bar of this Court *pro hac vice* in order to argue and try the above-captioned case as counsel for Defendants, Getty Oil Company, Inc., Texaco, Inc., and Texaco Refining and Marketing Company, Inc.

Dated: Newark, NJ
May 1, 2006

LATHAM & WATKINS LLP

By:


Anthony J. Staltari (ST 7970)
One Newark Center, 16th Floor
Newark, NJ 07101
Phone: (973) 639-1234
Fax: (973) 639-7298

Attorneys for Defendants.
Getty Oil Company, Inc.,
Texaco, Inc., and
Texaco Refining and Marketing
Company, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORKUS ENTERPRISES, INC.

Civ. No.: 05 cv 10207 (VM)

Plaintiff,

v.

GETTY OIL COMPANY, INC., et al.

**DECLARATION OF
ANTHONY J. STALTARI**

Anthony J. Staltari, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

1. I am associated with the law firm Latham & Watkins LLP, counsel for Defendants Getty Oil Company, Inc., Texaco, Inc., and Texaco Refining and Marketing Company, Inc. in this proceeding. I submit this Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, for an Order granting Heather Foran admission *pro hac vice* to the bar of the United States District Court for the Southern District of New York in order to argue and try the above-captioned action.

2. I am a member in good standing of the bar of this Court.

3. I have reviewed the Declaration of Heather Foran in support of the motion for admission *pro hac vice* submitted herewith, and I believe that the declaration is true and correct. Heather Foran is fully familiar with the facts of this case.

4. Upon the foregoing facts, I respectfully request that the Court grant the motion for the admission *pro hac vice* of Heather Foran to the bar of the United States District Court for the Southern District of New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed
on this 1st day of May, 2006, in Newark, New Jersey.



The image shows a handwritten signature in black ink, which appears to read "Anthony J. Staltari". Below the signature, the name "Anthony J. Staltari" is printed in a smaller, standard font.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORKUS ENTERPRISES, INC.

Plaintiff,

v.

GETTY OIL COMPANY, INC., et al.

Civ No.: 05 cv 10207 (VM)

DECLARATION OF HEATHER FORAN

HEATHER FORAN, pursuant to 28 U.S.C. § 1746 hereby declares under the penalty of perjury as follows:

1. I am an associate at the law firm Latham & Watkins LLP, located at One Newark Center, 16th Floor, Newark, NJ 07101. I submit this Declaration in support of the motion to admit counsel *pro hac vice* in the above-captioned matter. As demonstrated by the Certificate of Good Standing annexed hereto, I am a member in good standing of the United States District Court for the District of New Jersey.

3. There are no pending disciplinary proceedings against me in any State or Federal Court.

4. Wherefore, I respectfully request that I be permitted to appear as counsel for Defendants Getty Oil Company, Texaco, Inc., and Texaco Refining and Marketing Company, Inc. and advocate *pro hac vice* in the above-captioned case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 27th day of April, 2006 in Newark, NJ.


Heather Foran

Exhibit A

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

DISTRICT OF NEW JERSEY

I, WILLIAM T. WALSH, *Clerk of the United States District Court for the District of New Jersey,*

DO HEREBY CERTIFY that *Heather L. Foran* was duly admitted to practice in said Court on December 30, 2003 and is in good standing as a member of the Bar of said Court.

Dated at Newark, New Jersey
on: April 27, 2006

WILLIAM T. WALSH, CLERK

By _____

carey p. carlisle
Carey P. Carlisle, Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORKUS ENTERPRISES, INC.

Plaintiff,

v.

GETTY OIL COMPANY, INC., et al.

Civ. No.: 05 cv 10207(VM)

**ORDER ADMITTING COUNSEL
PRO HAC VICE**

This matter having been brought before the Court by motion to admit Heather Foran *pro hac vice* to appear and participate as counsel for Defendants, Getty Oil Company, Inc., Texaco, Inc., and Texaco Refining and Marketing Company, Inc. in the above-captioned action, and the declaration of such attorney having been submitted in support thereof, and it appearing that such attorney is a member in good standing of the bar of the United States District Court for the District of New Jersey in which he is admitted to practice law, and that there are no disciplinary proceedings against him as a member of the bar in any jurisdiction; it is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of this Court, Heather Foran of the District of New Jersey bar is admitted *pro hac vice* to practice before this Court as counsel for Defendants, Getty Oil Company, Inc., Texaco, Inc., and Texaco Refining and Marketing Company, Inc.

Dated: _____, 2006

United States District Judge

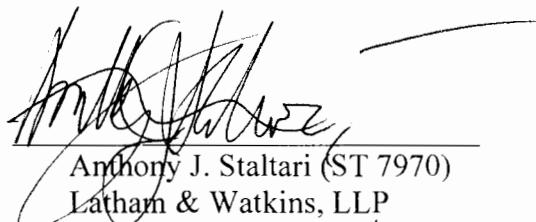
CERTIFICATE OF SERVICE

I, Anthony J. Staltari, hereby certify under the penalty of perjury that on April May 1, 2006 a true and correct copy of the attached **NOTICE OF MOTION; DECLARATION OF ANTHONY J. STALTARI; and DECLARATION OF HEATHER FORAN** was served upon the following:

James M. McGovern
LOMURRO, DAVISON, EASTMAN & MUÑOZ, PA
Attorneys for Plaintiff Norkus Enterprises, Inc.
Paragon Corporate Park
100 Willowbrook Road
Building 1
Freehold, New Jersey 07728
(732) 462-7170

By depositing a true copy of the same in a properly addressed, postpaid wrapper in a regularly maintained official depository of the United States Post Office and to be electronically filed with the Court.

Dated: Newark, New Jersey
May 1, 2006



Anthony J. Staltari (ST 7970)
Latham & Watkins, LLP
One Newark Center, 16th Floor
Newark, NJ 07101
Phone: (973) 639-1234
Fax: (973) 639-7298

*Attorneys for Defendants,
Getty Oil Company, Inc.,
Texaco, Inc., and
Texaco Refining and Marketing
Company, Inc.*